

## COURT PROCEEDINGS

### County Managers Transact Much Business.

Large Volume of Orders Made and Many Claims Audited and Ordered Paid.

Wednesday, October 21, 1914, 13th Judicial Day.

Court came pursuant to adjournment.

Officers present as follows:  
Hon. A. L. Clark, County Judge.  
A. E. Harvey, Commissioner.  
B. J. Keelan, Commissioner.  
H. E. LaBare, Clerk.  
C. H. John, Sheriff.

Due proclamation being made the following proceedings were had:

Matter of Resignation of U. S. Despain

as Supervisor of R. D. No. 1.

On this day U. S. Despain presents to the Court his written resignation of the office of Supervisor of Road District No. 1, together with his itemized report of all cash collected and paid out during the year 1914, showing

Cash Collected, all sources \$269.50

Cash Paid out, vouchers herewith \$229.25

Receipt from the County Treasurer 140.25 369.50

In the addition to the amount shown as collected, the following items are due:

Geo. Brinn, 7 1/2 cu. yds. rock at \$1.25 \$9.37

Ed Ketel, 6 cu. yds. rock at \$1.25 7.50

N. A. Perry, 2 1/2 cu. yds. rock 86c. 2.00

N. A. Perry, 3 cu. yds. rock at \$1.25 3.75

and the Court after examining said Resignation, Report and Vouchers and being advised in the matter, it is ordered by the Court that said Resignation be accepted and that said Cash Report be and the same is hereby approved, subject to items reported as uncollected.

Matter of Road Work in Road District No. 1.

On this day it is ordered by the Court that all road work in Road District No. 1, be performed under the supervision of the County Roadmaster until such time as a Road Supervisor shall have been appointed and duly qualified.

Matter of Sale of Galvanized Pipe.

On this day, on reading written application therefor, it is ordered by the Court that an offer be made to W. J. Cooley, for the sale of 300 feet, more or less of 3-4 inch Galvanized Iron Pipe, belonging to the

county, now lying near Marshland, for the sum of four cents per foot.

Matter of Audit of Books and Accounts.

On this day it is ordered by the Court that the State Insurance Commissioner to extend the audit of the books and accounts of the county from September 30, 1914, being the closing of the annual audit, to the 20th day of October, 1914.

Whereupon, Court adjourned until Wednesday, October 28, 1914.

Wednesday, October 28, 1914, 14th Judicial Day.

Court came pursuant to Adjournment.

Officers all present.

Due proclamation being made, the following proceedings were had.

Matter of Aid to Mrs. — Welch.

On this day it is ordered by the Court that Mrs. — Welch be sent to the Good Samaritan Hospital for treatment, and that such expense as may be reasonably incurred thereby be paid by the County on presentation of duly verified bills therefor.

Matter of Aid to Sophia Hankey.

On this day it is ordered by the Court that that certain order of court heretofore made whereby the Clerk was instructed to issue a general fund warrant in the sum of \$15.00, in favor of said Sophia Hankey on the first day of each month until the further order of the Court, be, and the same is hereby revoked.

Matter of Teacher's County Institute.

On this day it is ordered by the Court that the Clerk be, and he is hereby instructed to issue a General Fund Warrant, in the sum of \$150 in favor of J. W. Allen, County School Superintendent, to be used in defraying the expenses of the County Teachers' Institute about to be held in St. Helena, it being understood and agreed that said J. W. Allen shall file a written report of such transactions together with receipts for all such expense incurred, and turn over to the County Treasurer any un-expended portion of said sum of \$150.00.

Matter of Establishment of Road District Boundaries.

On this day it is ordered by the Court that Columbia County be, and the same is hereby divided into seven road districts, the boundary lines of which are described as follows:

ROAD DISTRICT NO. 1.

Beginning at a point where the Section line between sections 27 and 34, T. 4 N. R. 1 W. intersects the bank of the Columbia River; thence west to the S. W. corner of of section 25, T. 4 N. R. 2 W.; thence N. 1 mile; thence W. 2 miles; thence N. 3 miles; thence W. 7 1/2 miles; thence S. 1 mile; thence E. 1 1/2 miles; thence S. 3 miles; thence W.

3 miles; thence S. 1 mile; thence E. 4 miles; thence S. 2 miles; thence E. 2 miles; thence S. 1 mile; thence E. 3 miles; thence S. 1 mile; thence E. 7 miles; thence N. 1/2 mile; thence E. on the center line of Sec. 23, T. 4 N. R. 1 W. to the bank of the Columbia River; thence North-erly following the meander of the Columbia River to the point of beginning.

ROAD DISTRICT NO. 2.

Beginning at a point where the Section line between sections 27 and 34, T. 4 N. R. 1 W. intersects the bank of the Columbia River; thence W. to the S. W. corner of Sec. 25, T. 4, N. R. 2 W.; thence N. 1 mile; thence W. 2 miles; thence N. 3 miles; thence W. 7 1/2 miles; thence N. 2 miles; thence E. 1/2 mile; thence N. 2 miles; thence E. to the bank of the Columbia River; thence Southerly, following the meander of the Columbia River to the point of beginning.

ROAD DISTRICT NO. 3.

Beginning at a point where the Township line between township 6, N. and township 7, N. intersects the bank of the Columbia River; thence W. to the S. W. corner of Section 33, T. 7, N. R. 2 W.; thence S. 1 mile; thence W. 1 mile; thence S. 1 mile; thence W. 2 miles; thence S. 1 mile; thence W. 4 miles; thence S. 2 miles; thence E. 2 miles; thence S. 2 miles; thence E. to the bank of the Columbia River; thence North-erly, following the bank of the Columbia River, to the place of beginning.

ROAD DISTRICT NO. 4.

Beginning at a point where the Township line between township 6, N. and township 7, N. intersects the bank of the Columbia River; thence W. to the S. W. corner of Section 33, T. 7, N. R. 2 W.; thence S. 1 mile; thence W. 1 mile; thence S. 1 mile; thence W. 1 mile; thence S. 2 miles; thence W. 2 miles; thence S. 1 mile; thence W. 4 miles to the S. W. corner of Section 30, T. 6, N. R. 3 W.; thence N. 4 miles; thence E. 2 1/2 miles; thence N. 1/4 miles; thence W. 1/4 miles; thence N. 1/4 mile; thence W. 1/2 mile; thence N. 1/2 mile; thence W. 1 1/2 miles to the S. W. corner of Section 30, T. 7, N. R. 3 W.; thence N. to the bank of the Columbia River; thence South-easterly, following the bank of the Columbia River, to the place of beginning.

ROAD DISTRICT NO. 5.

Beginning on the W. boundary line of Columbia County, at the S. W. corner of Section 18, T. 7, N. R. 5, W.; thence E. 4 miles, thence S. 3 miles; thence E. 5 miles; thence S. 2 miles; thence E. 3 miles; thence N. 1 mile; thence E. 2 1/4 miles; thence N. 1/4 miles; thence W. 1/4 mile; thence N. 1/4 mile; thence W. 1/2 mile; thence N. to the bank of the Columbia River; thence following the meanders of the Columbia River to the N. W. corner of Col-

umbia County; thence S. to the point of beginning.

Beginning on the W. boundary line of Columbia County, at the N. W. corner of Section 19, T. 7, N. R. 5, W.; thence F. 4 miles; thence S. 3 miles; thence E. 5 miles; thence S. 2 miles; thence E. 3 miles; thence S. 5 miles; thence W. 8 miles; thence S. 1 mile; thence W. 4 miles to the S. W. Corner of Section 7, T. 6 N. R. 5 W.; thence N. on the W. boundary line of Columbia County, to the place of beginning.

ROAD DISTRICT NO. 7.

Beginning at the Southeast corner of Section 36, T. 4, N. R. W.; thence N. 1 mile; thence E. 3 miles; thence N. 3 miles; thence W. 1 1/2 miles; thence N. 3 miles; thence E. 1/2 mile; thence N. 4 miles; thence W. 10 miles; thence S. 1 mile; thence W. 4 miles; thence S. 10 miles to the S. W. corner of Columbia County; thence E. to the point of beginning.

When upon, Court Adjourned.

BE IT REMEMBERED, That a regular term of the County Court of the State of Oregon, for Columbia County, was begun and held at the Court House in the City of St. Helena, in said county and state, on Wednesday, the 4th day of November, 1914, the same being the time fixed by law for holding a regular term of said Court, when were present:

Hon. A. L. Clark, County Judge.  
A. E. Harvey, Commissioner.  
B. J. Keelan, Commissioner.  
C. H. John, Sheriff.  
H. E. LaBare, Clerk.

Due proclamation being made, the following proceedings were had.

Matter of Petition of Frank L. Smith, et. al. For a County Road.

On this day the Report of the Board of County Road Viewers on the Frank L. Smith Road, was read in open Court the first time.

Matter of Petition of E. J. Lindberg, et. al. For a County Road.

On this 4th day of November, 1914, comes on for hearing the petition of E. J. Lindberg, et. al., freeholders, residing in the road district or districts of said proposed road, praying for the establishment of a county road, described as follows:

Beginning on a point on the Columbia Highway, said point being 650 feet East of the Northeast corner of the Southwest quarter of the Southwest quarter of Section 11, in T. 7 N, R. 4 W. of the Will. Mer. Oregon; running thence in a South-easterly direction on the most practical ground and touching near the Section Corner common to Sections 11, 12, 13, and 14, T. 7 N. R. 4 W. of the Will. Mer. to the Clatskanie-Rainier Road at a point about 1/4 mile East of the quarter post on the West line of Section 13, T. 7 N. R. 1 W.; thence in an Easterly direction following the present County road as near as practical to the center of Section 13, T. 7 N. R. 4 W.; thence in a Southeasterly direction touching the School property in School District No. 44, located in the Southeast quarter of the Northeast quarter of Section 24; thence in an Easterly direction on the most practical ground connecting with the County Road, known as the Kyser Road, near the quarter post on the South line of Section 19, T. 7, N. R. 3 W. of the Will. Mer. the end.

In the Matter of the Claim of D. E. Freeman

For Indemnity for Slaughtered Cattle.

On this 4th day of November, 1914, comes on for hearing the Claim of D. E. Freeman, of Scappoose, Oregon, for Indemnity in the sum of \$62.50, for one grade cow, over two years old and one registered bull, slaughtered by the State Live Stock Sanitary Board, under Chapter 14, General Laws of 1913, and it appearing to the Court from the certification and affidavits on file relating thereto, that said animals were slaughtered on the 14th day of May, 1914, and that said certificates and affidavits, together with said claim for indemnity were filed on the 2nd day of November, 1914.

And it appearing to the Court that more than thirty days expired from the date of such slaughter and the date of the filing of such certificates and claim, and the Court being advised in the matter, it is ordered by the Court that said Claim be, and the same is hereby denied.

Matter of Petition for aid For Hans Larsen.

On this day comes on for hearing the petition of Geo. W. Vogel, et. al., for aid for Hans Larsen, and the Court being advised in the matter, it is ordered by the Court that said petition be, and the same is hereby denied.

In the Matter of the Widening and Straightening of the Main County Road leading from the West boundary line of Columbia County to a stake marked "L" 414, 20.5 P. C., said stake being 1385 feet South

and 1418 feet East of the Section corner common to Section 16, 17, 20 and 21 in Township 5 North of Range 2 West of the Willamette Meridian, in Columbia County, State of Oregon.

Northern Pacific Railway Company, a corporation, having on the 20th day of August, 1914, pursuant to the notices in the above entitled matter, filed its objections and remonstrances, which, after a partial hearing at that time were continued for further consideration until this day; and now the said Northern Pacific Railway Company appearing by Carey and Kerr, its attorneys, and the County of Columbia appearing by Mr. G. C. Gulton, special counsel, after further consideration by the Court and after examining into and hearing all testimony and documentary evidence for and against the establishment of said road so far as related to said objections and remonstrances, and so far as relates to the property, rights of way and premises of the Northern Pacific Railway Company, and the Court being satisfied that as to the particular tracts of land hereinafter described such road will be of utility and convenience to individuals and the public, and that the said road should be established thereon; and it further appearing that in so far as the course of the said proposed county road comes within the property, rights of way and premises of the Northern Pacific Railway Company upon the tracts hereinafter described, it is necessary to locate and establish the county road thereon, but that in all other places where the proposed county road as surveyed and as described in the notices in this proceeding affects or comes within the property, rights of way or premises of the said Northern Pacific Railway Company the course of the said county road should be changed and the width decreased so as not to encroach upon or come within the same, and that the right to take any part of the said property, rights of way or premises, other than as described, should be released and abandoned by the County, and an agreement having been reached with the said Northern Pacific Railway Company, in consideration whereof the said objections and remonstrances have been withdrawn:

IT IS ORDERED that the said agreement which is hereinafter set forth shall be executed by the County Judge and the Commissioners of Columbia County for and in behalf of the County, and when also executed by the Northern Pacific Railway Company shall be a binding obligation, to wit:

KNOW ALL MEN BY THESE PRESENTS, That COUNTY OF COLUMBIA, State of Oregon, as party of the first part, and NORTHERN PACIFIC RAILWAY COMPANY, a corporation organized and existing under the laws of the State of Wisconsin, party of the second part, have agreed and do hereby agree as follows:

WHEREAS the County of Columbia has begun a proceeding for the establishment of a county road, which proceeding is entitled:

"In the Matter of the Widening and Straightening of the Main County Road leading from the West boundary line of Columbia County to a stake marked "L" 414 20.5 P. C., said stake being 1385 feet South and 1418 feet East of the Section Corner common to Section 16, 17, 20 and 21 in Township 5 North of Range 2 West of the Willamette Meridian, in Columbia County, State of Oregon."

and

WHEREAS the course of the said proposed county road comes within the property, rights of way and premises of the Northern Pacific Railway Company already devoted to public use for railway purposes upon the tracts or parcels of land hereinafter described:

NOW THEREFORE, in consideration of one dollar (\$1.00) and valuable considerations, the Northern Pacific Railway Company hereby gives and grants unto Columbia County the right to use for highway purposes the following described tracts or parcels of land situate in Columbia County, Oregon, being a part of the property, rights of way and premises used for railway purposes by the said party of the second part, to wit:

PARCEL NO. 1.

A tract or parcel of land near Tide Creek lying in the northeast quarter of section thirty-six (36) township six (6) north range two (2) west Willamette Meridian:

Beginning at a point in the westerly right of way line of the Northern Pacific Railway Company, said point being 50 feet from and measured at right angles to the center line of main track of said company at station 5754-47.2 and 15 feet easterly from and measured at right angles to the center line of the Columbia Highway at station 172-01 thereon; thence south 6 deg. 44 min. east parallel to the center line of the Columbia Highway a distance of 86.9

feet; thence along the arc of a curve to the right having a radius of 333.3 feet parallel to the center line of the Columbia Highway a distance of 112.7 feet; thence south 12 deg. 38 min. west parallel to the center line of the Columbia Highway a distance of 151.5 feet to a point in the westerly right of way line of the Northern Pacific Railway Company, said point being 50 feet from and measured at right angles to the center line of main track of said company at station 5757-90.4; thence northerly along the said westerly right of way line a distance of 346 feet more or less to the point of beginning, containing 0.2 acres more or less; said parcel being shown on the blue print hereto attached, marked "Exhibit 1."

PARCEL NO. 2.

A strip of land 60 feet wide, being 30 feet on either side of the center line of the Columbia Highway, as surveyed over and across the southwest quarter of the southwest quarter of section one (1), and the northeast quarter of the southeast quarter of section two (2) township six (6) north, range two (2) west of Willamette Meridian:

Beginning at station 172-37, which is approximately 1320 feet west and 296 feet south of the quarter section corner common to sections 1 and 2, township 6 north, range 2 west; thence running in a southeasterly direction a distance of 3550 feet, more or less to station 1763-50, which station is approximately 1130 feet east of corner common to sections 1, 2, 11 and 12, township 6 north, range 2 west of Willamette Meridian, said parcel being shown on the blue print hereto attached, marked "Exhibit 2."

In consideration of the premises, the County of Columbia hereby releases and discharges the property, rights of way and premises of the party of the second part other than the tracts above described from all claims of the County of Columbia for use as a part of the said road or highway, and further agrees that in case the party of the second part has occasion hereafter to double track its railway line upon its right of way, or build additional tracks thereon, the said party of the second part may borrow earth and material from the lands within the boundaries of the said highway where convenient, provided the exercises of this right does not unnecessarily interrupt travel upon the said road or highway, and provided further that before this right is exercised in any instance, application shall first be made to the county court and the work shall be done under its supervision and to its satisfaction.

IN WITNESS WHEREOF the parties have caused these presents to be executed this 8th day of September, 1914.

COUNTY OF COLUMBIA, STATE OF OREGON

By A. L. CLARK, County Judge.  
B. J. KEELAN, Commissioner.  
A. E. HARVEY, Commissioner.

NORTHERN PACIFIC RAILWAY COMPANY

By J. M. HAIMAFORD, President.  
Done in the Presence of Witnesses:

W. J. BOWERS.  
F. H. FORD.

Whereupon, Court adjourned until Thursday, Nov. 5, 1914.

Thursday, November 5, 1914, 2nd Judicial Day.

Court came pursuant to Adjournment. Officers all present.

Due proclamation being made, the following proceedings were had:

In the Matter of the Petition of Frank L. Smith, et. al., For a County Road:

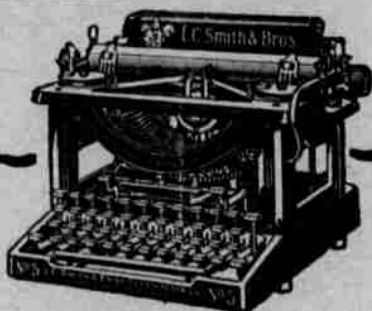
On this day this matter coming on to be heard upon the second reading of the Report of the Board of County Road Viewers, which said report was publicly read on two different days of this term of Court, and no remonstrance or petition for damages being filed, and the Court being satisfied that such road will be of public utility, the report of the Board of County Road Viewers being favorable thereto, and reporting damages in the sum of \$123.00 in favor of J. B. Caples and in the sum of \$83.25, in favor of D. E. Freeman, it is ordered by the Court that said report be adopted and that said report, survey, profile and plat be recorded in suitable books kept for that purpose, and from thenceforth said road shall be a public highway.

It is further ordered by the Court that the road supervisor in whose district said road is located, shall open the same for public travel.

It is further ordered by the Court that the Clerk be and he is hereby authorized and instructed to issue General Fund Warrants in payment of said damages as reported by the Board of County Road Viewers, in favor of said parties respectively.

Matter of Petition for Bridge across Nehalem River near Hult Place.

(Continued on page 6.)



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